

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

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ATLANTIC CITY ASSOCIATES LLC,	:	
et al.,	:	
	:	Civil Action No.
Plaintiffs,	:	<b>05-3227 (NLH)</b>
	:	<b>(Lead Case)</b>
	:	05-5623, 06-3735
v.	:	(Consolidated Cases)
	:	
CARTER & BURGESS CONSULTANTS,	:	
INC., et al.,	:	<b>ORDER</b>
	:	
Defendants.	:	

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**Appearances:**

JOSEPH A. BATTIPAGLIA  
VERONICA J. FINKELSTEIN  
DUANE MORRIS LLP  
ONE LIBERTY PLACE  
PHILA., PA 19103-3185  
*Attorneys for Atlantic City Associates LLC*

DENNIS P. HERBERT  
POWELL TRACHTMAN  
1814 EAST ROUTE 70  
SUITE 304  
CHERRY HILL, NJ 08003  
*Attorney for Carter & Burgess Consultants, Inc.*

GLENN W. REIMANN  
SARAH PATRICE O'DONNELL  
COZEN O'CONNOR  
1900 MARKET STREET  
PHILADELPHIA, PA 19103

*And*

JULIE B. NEGOVAN  
COZEN O'CONNOR  
457 HADDONFIELD ROAD  
CHERRY HILL, NJ 08002  
*Attorneys for Keating Building Corporation and Liberty Mutual Insurance Company and Daniel J. Keating Construction Corp.*

MARTIN P. SKOLNICK  
5021 INDUSTRIAL ROAD  
FARMINGDALE, NJ 07729

*And*

THOMAS M. MULCAHY  
PURCELL, RIES, SHANNON, MULCAHY & O'NEILL  
ONE PLUCKEMIN WAY  
PO BOX 754  
BEDMINSTER, NJ 07921  
*Attorney for Avon Brothers, Inc. d/b/a Avon Contractors, Inc.*

JOHN F. PALLADINO  
JENNA M. COOK  
HANKIN, SANDMAN & PALLADINO  
30 SOUTH NEW YORK AVENUE  
ATLANTIC CITY, NJ 08401  
*Attorney for Thomas Company, Inc.*

BRADLEY K. SCLAR  
DANA B. OSTROVSKY  
PARKER, MCCAY  
THREE GREENTREE CENTRE, SUITE 401  
ROUTE 73 & GREENTREE ROAD  
PO BOX 974  
MARLTON, NJ 08053  
*Attorney for Petrocelli/palmieri Joint Venture*

CRAIG L. LEVINSOHN  
ARONSOHN WEINER & SALERNO  
COUNSELLORS AT LAW  
263 MAIN STREET.  
HACKENSACK, NJ 07601  
*Attorney for Johnston Architectural Systems, Inc., d/b/a Delta Fountains, Inc.*

JOHN G. RICHARDS, II  
DAVIS, BUCCO, & ARDIZZI, ESQS.  
10 EAST 6TH AVENUE  
SUITE 100  
CONSHOHOCKEN, PA 19428  
*Attorney for Davis-Giovinazzo, Inc.*

ANET L. TREIMAN  
STEPHANIE WISDO  
COHEN SEGLIAS PALLAS GREENHALL & FURMAN  
2 WHITE HORSE PIKE  
HADDON HEIGHTS, NJ 08035  
*Attorney for Vincent J. Borrelli, Inc.*

**HILLMAN, District Judge**

For the reasons expressed in this Court's Opinion on this date, **IT IS HEREBY ORDERED** this 14th day of September, 2007, that:

- (1) Atlantic City Associates LLC's ("ACA") motion to dismiss Avon Brothers, Inc.'s ("Avon") direct claim against ACA [48] is **DENIED AS MOOT**; and
- (2) ACA's motion to dismiss Avon's direct claim against ACA [118] is **GRANTED IN PART AND DISMISSED IN PART**:
  - a. ACA's motion to dismiss Avon's claim for unjust enrichment is **GRANTED**;
  - b. ACA's motion to dismiss Avon's claim for *quantum meruit* is **DENIED**; the parties are **ORDERED TO NOTIFY** this Court when the Superior Court of New Jersey issues a decision on this issue; and
  - c. ACA's motion to dismiss Avon's breach of contract claim is **DENIED**.

s/Noel L. Hillman  
NOEL L. HILLMAN, U.S.D.J.

At Camden, New Jersey